

Remarks

The Applicants have amended the Specification to place it into final condition for allowance. Entry into the official file is respectfully requested.

Claim 10 stands objected to as depending from cancelled Claim 7. The Applicants have amended Claim 10 so that it now depends from Claim 1. Entry into the official file and withdrawal of the objection is respectfully requested.

Claims 1 – 6 and 11 – 21 stand rejected under 35 USC §103 as being obvious over the hypothetical combination of Yamada and Murata with Oka. The Applicants note with appreciation the Examiner's detailed comments hypothetically applying the combination against those claims. The Applicants, nonetheless, respectfully submit that the combination would still fail to result in the Applicants' multilayer film as recited in Claims 1 – 6 and 11 – 21. Reasons are set forth below.

The rejection frankly acknowledges that Oka does not specify the weight percentage particles in the electrically conductive layer and does not disclose the claimed composition of resin layer. The rejection further frankly acknowledges that both Oka and Yamada fail to disclose the resin layer having an arithmetic average surface roughness Ra ranging from 0.004 μm to 0.020 μm or haze of less than 3%. Thus, the rejection turns to Murata to cure those deficiencies. However, there is still a problem with Murata. In that regard, the Applicants' Claim 1 recites that the arithmetic average surface roughness Ra ranges from 0.04 μm to 0.020 μm . This is sharply contrasted to Murata which discloses a surface roughness Ra of 0.03 to 0.30. In other words, the Applicants' range as recited in Claim 1 is completely different from the range disclosed by Murata. There is no overlap of the ranges and there is, in fact, a gap between those ranges. Therefore, the Applicants respectfully submit that even if one skilled in the art were to hypothetically combine Murata with Yamada and Oka, the result of that combination would be a

resin layer having a surface roughness Ra of 0.03 to 0.30. The problem is that the Applicants claim a range of 0.004 to 0.020, which is completely different from and outside of the Murata/Yamada/Oka combined range. The Applicants, therefore, respectfully submit that the hypothetical combination is inapplicable to Claims 1 – 6 and 11 – 21.

Although the rejection does not explicitly recognize this defect and therefore problem with the combination, the rejection, nonetheless, states that the “exact surface roughness, Ra, of the resin layer is deemed to be a result effective variable with regard to the antiglare effect.” This means that even if one skilled in the art were to make the hypothetical combination of all three (3) references in exactly the way set forth in the rejection (as opposed to many other infinite combinations that might be possible) that it would be “routine experimentation to determine the optimum value of the result effective variable, such as Ra, in the absence of a showing of criticality in the claimed Ra.”

The Applicants respectfully submit that there is a serious problem, however, with this notion of the surface roughness Ra being a result effective variable and that there would be nothing more than routine experimentation to determine an optimum value. The reason for this is that it simply ignores the teachings of Murata and fails to account for the Applicants’ findings as well. In that regard, the Applicants invite the Examiner’s attention to all of the appropriate text associated with the Murata disclosure that spans the bottom portion of Col. 3 and the top portion of Col. 4. The entirety of the relevant disclosure is reproduced below for the Examiner’s convenience.

...The glittering phenomenon of the displayed images would be strong when Ra exceeds 0.30 μm while no sufficient antiglare effect can be exhibited when Ra is smaller than 0.03 μm .

It is essential that the surface roughness of the roughened surface or surfaces of the inventive antiglare material satisfies all of the above given inequalities (1) to (3). **FIG. 5** of the accompanying

drawing is a correlation diagram showing a hatched area in which each of the parameters S_m on the ordinate and R_a on the abscissa must fall in order to satisfy the above mentioned requirement.

The Applicants enclose a portion of Fig. 5 that has been exploded so that Fig. 5 may be considered in conjunction with the text mentioned above. Fig. 5 also includes a new line indicating a surface roughness of 0.02.

Fig. 5 illustrates the range clearly disclosed by Murata and that range can be taken in conjunction with the use of rather compelling terminology such that it is "essential" that the surface roughness satisfy all of the inequalities including inequality (3) which is the surface roughness range R_a at 0.03 to 0.30. It also illustrates the compelling language of Murata at the top of Page 4 which recites that the surface roughness R_a "must fall" in the specified range. These teachings are both clear and compelling that straying outside of the ranges will result in a poor product. Thus, one skilled in the art has no incentive to perform "routine experimentation" as hypothesized in the rejection. There is no room for such routine optimization given the use of strident terms such as "essential" and "must" in the relevant teachings of Murata.

Moreover, it can be seen by the added surface roughness line at 0.02 and the hatching added to the left of that line that while the Applicants' surface roughness does not range downwardly to zero, it is clear that the Applicants' surface roughness is intended to be far, far smaller than the smallest minimum amount specified by Murata. It is simply a completely different philosophy in the amount of surface roughness that is desired between the Murata disclosure and the Applicants'.

This is factually reinforced by both Murata and the Applicants. In that regard, the Applicants first invite the Examiner's attention to Table 1 of Murata which is at the bottom of Col. 9. A variety of examples and comparative examples are provided and it can be seen that the examples of Murata are 0.10, 0.08, 0.18 and 0.18. Comparative examples are shown as being

0.20, 0.50 and 0.01. In the case of Comparative Example 3 having the surface roughness Ra at 0.01, this roughness is within the Applicants' range and as noted above is labeled as a "comparative example." Naturally, those skilled in the art can readily determine that a comparative example is included to show an example that is undesirable. This is confirmed by a poor antiglare effect relative to the examples. Thus, one skilled in the art could readily glean from looking at Table 1 that reducing the surface roughness Ra lower than the disclosed range of 0.03 (which is in no way taught or suggested) would result in an ineffective product not satisfying the antiglare effect---which is probably the most important objective of the Murata disclosure. This could hardly be said to be incentive for one skilled in the art to lower the surface roughness.

Similarly, referring to the Applicants' Table 1 on Page 41 wherein the surface roughness was increased into the Murata range at 0.0400 in the case of Comparative Example 1, the haze jumps to 6.0%, which is unacceptable and outside of the Applicants' claimed range. Therefore, the situation presents itself that Murata provides no teachings and no suggestions for one skilled in the art to lower the surface roughness Ra below a minimum point that is outside of the Applicants' claimed range and affirmatively provides a factual evidence showing that the primary objective of the Murata disclosure is essentially destroyed when the surface roughness is lowered outside of the Murata's specified range. Moreover, the Applicants factually demonstrate that when the surface roughness Ra is raised beyond their claimed range, that the haze value becomes very unacceptable.

As a result, these combined teachings dispel any hypothetical notion that there would be routine optimization to vary the surface roughness Ra as suggested in the rejection with a reasonable expectation that such optimization would be successful. In fact, based on the teachings and the facts presented in Murata, one skilled in the art would have a reasonable

expectation of failure. As a consequence, the Applicants respectfully submit that the rejection cannot be supported based on the optimization position. Further, the combination of Murata and Yamada with Oka still does not result in all of the Applicants' claimed parameters as recited in Claims 1 – 6 and 11 – 21. Withdrawal of the rejection is respectfully requested.

Claim 10 stands rejected under 35 USC §103 under the further hypothetical combination of Hasuo with Murata, Yamada and Oka. The Applicants respectfully submit that Hasuo fails to provide additional teachings or suggestions that would lead one skilled in the art to the subject matter as recited in Claim 10. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

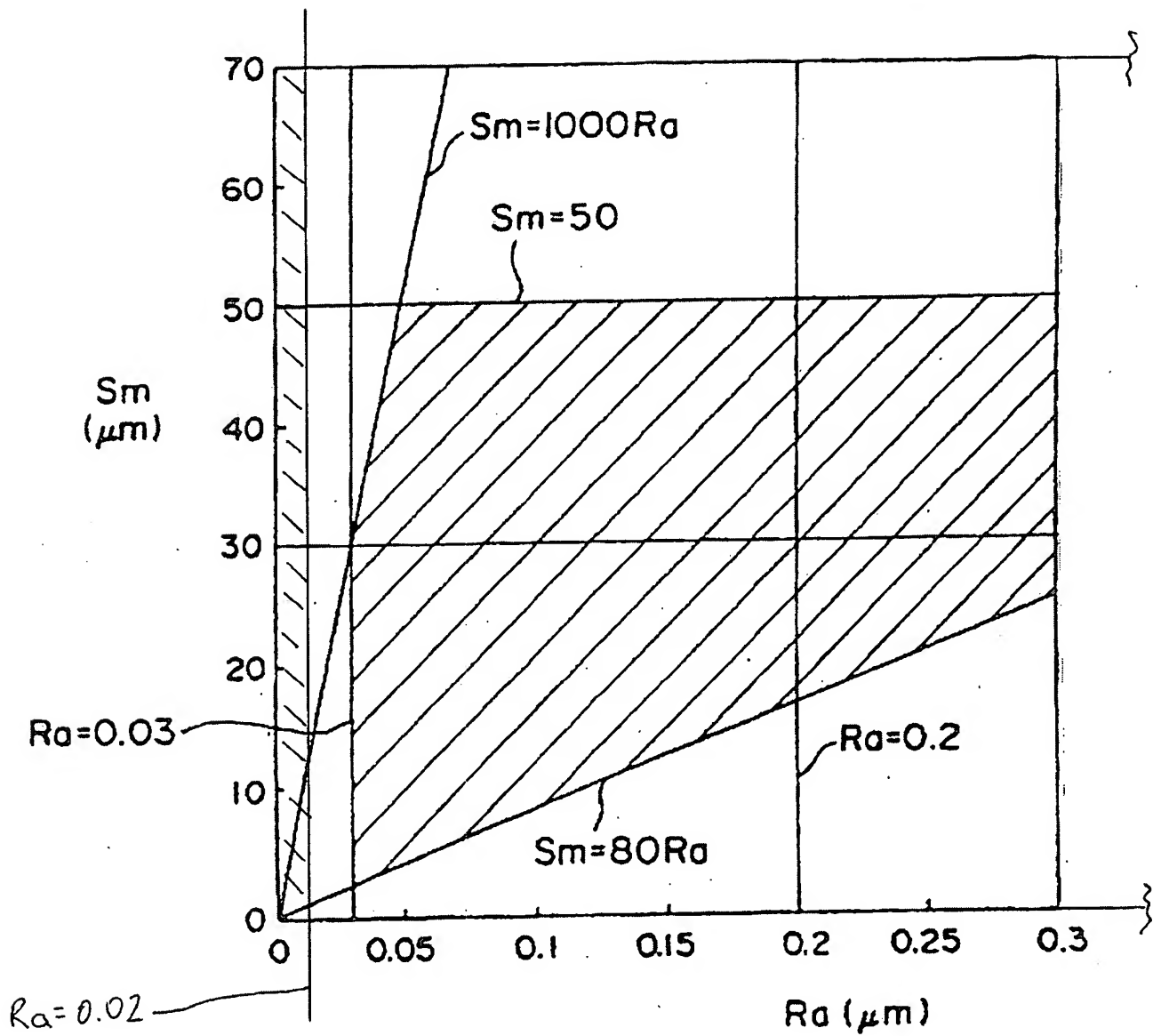
Respectfully submitted,



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FIG.5



FOR EXPLANATORY PURPOSES ONLY